

REMARKS

Claims 45-55 are under examination. The specification has been amended to insert the address of the depository for *Shigella flexneri* clone 15D, and to further clarify the identity of SEQ ID NOS:3-8. No new matter has been added. Reconsideration is requested.

The Examiner indicated that the application fails to comply with the requirements for nucleotide and/or amino acid sequences. Applicants respectfully traverse. The primers shown in Figure 1 are set forth in SEQ ID NOS:3-8, as indicated at page 20, line 13 of the specification. The Brief Description of the Drawings has been amended to remove any possible ambiguity.

Claims 45-55 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 53-57, 60, 62-67 and 70-74 of copending Application No. 08/523,855. Upon indication from the Examiner that the application is otherwise in condition for allowance, Applicants will file a terminal disclaimer.

Respectfully submitted,

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